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Supreme Court, U.S.
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NO. 111 Original

* * *

IN THE SUPREME COURT OF THE UNITED STATES
October Term, 1988

* * *

STATE OF DELAWARE, Plaintiff

STATE OF TEXAS, Plaintiff in Intervention

V.

STATE OF NEW YORK, Defendant

* * *

REPLY OF THE STATE OF TEXAS TO THE MOTION OF THE STATES OF ALABAMA, HAWAII, ILLINOIS, INDIANA, KANSAS, LOUISIANA, MONTANA, NEVADA, OKLAHOMA, SOUTH DAKOTA, UTAH AND WASHINGTON, AND THE COMMONWEALTHS OF KENTUCKY AND PENNSYLVANIA FOR LEAVE TO FILE COMPLAINT IN INTERVENTION AND THE MOTIONS OF THE STATES OF ARIZONA, CONNECTICUT, IDAHO, NEW MEXICO, TENNESSEE, AND WISCONSIN FOR LEAVE TO INTERVENE

* * *

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IN THE SUPREME COURT OF THE
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October Term, 1988

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STATE OF DELAWARE, *Plaintiff*

STATE OF TEXAS, *Plaintiff in Intervention*

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REPLY OF THE STATE OF TEXAS TO THE MOTION OF THE STATES OF ALABAMA, HAWAII, ILLINOIS, INDIANA, KANSAS, LOUISIANA, MONTANA, NEVADA, OKLAHOMA, SOUTH DAKOTA, UTAH AND WASHINGTON, AND THE COMMONWEALTHS OF KENTUCKY AND PENNSYLVANIA FOR LEAVE TO FILE COMPLAINT IN INTERVENTION AND THE MOTIONS OF THE STATES OF ARIZONA, CONNECTICUT, IDAHO, NEW MEXICO, TENNESSEE, AND WISCONSIN FOR LEAVE TO INTERVENE

The State of Texas ("Texas") hereby files its reply to the motion of the states of Alabama, Hawaii, Illinois, Indiana, Kansas, Louisiana, Montana, Nevada, Oklahoma, South Dakota, Utah and Washington, and the Commonwealths of Kentucky and Pennsylvania for leave to file complaint in intervention and motions of

the states of Arizona, Connecticut, Idaho, New Mexico, Tennessee, and Wisconsin for leave to intervene. Each of the moving parties are sovereign states of the United States of America (collectively, the "States"). Texas alleges as follows:

1. Texas does not oppose the motions of the States or of any of them.

2. The claims made by the States involve questions of law and fact common to those already before the Court.

3. The intervention of the States will not unduly delay these proceedings or prejudice the rights of the present parties, in that fourteen of the States are represented by one counsel of record, and the other States have stated their willingness to have Texas act as lead counsel. Texas has indicated its willingness to so act as lead counsel for those States representing themselves.

Respectfully submitted,

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_____

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PROOF OF SERVICE

I MARY F. KELLER, certify that I am counsel of record for Plaintiff in Intervention, the State of Texas, that I am a member of the Bar of the Supreme Court of the United States, and that on the _____ day of May, 1989, I served three copies of the foregoing REPLY OF THE STATE OF TEXAS TO THE MOTION OF THE STATES OF ALABAMA, HAWAII, ILLINOIS, INDIANA, KANSAS, LOUISIANA, MONTANA, NEVADA, OKLAHOMA, SOUTH DAKOTA, UTAH AND WASHINGTON, AND THE COMMONWEALTHS OF KENTUCKY AND PENNSYLVANIA FOR LEAVE TO FILE COMPLAINT IN INTERVENTION AND THE MOTIONS OF THE STATES OF ARIZONA, CONNECTICUT, IDAHO, NEW MEXICO, TENNESSEE, AND WISCONSIN FOR LEAVE TO INTERVENE on all parties required to be served by depositing such copies, first class, postage prepaid, in the United States mail, addressed as follows:

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